



Board of Education
Minutes
Special Board Meeting
Wednesday, November 17, 2021

All persons attending the November 17, 2021 Special Board Meeting in person will be required to wear a mask. Available seating is contingent on room capacity restrictions and provided on a first-come basis or lottery system, if necessary. Community members can also view this meeting via livestream via YouTube.

Call to Order and Roll Call

1. Roll Call

RECOMMENDATION: Presiding Board Member calls roll.

The special meeting of the Board of Education of Douglas County School District Number RE-1 was called to order by President Ray at 12:02 p.m.

BOARD MEMBERS PRESENT: Ciancio-Schor, Graziano, Hanson, Leung, Meek (remote), Ray

EXCUSED ABSENCE: Holtzmann

ALSO IN ATTENDANCE: Superintendent Wise, Deputy Superintendent Abner, Deputy Superintendent Hiatt, Chief Assessment and Data Officer Reynolds, General Counsel Klimesh, Chief Technology Officer Blair, Chief Operations Officer Cosgrove, Chief Financial Officer Kotaska, Chief Human Resources Officer Thompson, Special Education Services Officer Rundle, Communications Officer Rader and Assistant to the Superintendent DeVol

Pledge of Allegiance

2. Pledge of Allegiance

Acceptance of Agenda

3. Acceptance of Agenda

RECOMMENDATION: That the Board of Education approves the Agenda as presented.

ORIGINAL - Motion

Member Graziano moved, Member Leung seconded to approve the ORIGINAL motion that the Board of Education approves the Agenda as presented.

Ciancio-Schor, aye; Graziano, aye; Hanson, aye; Leung, aye; Meek, aye; Ray, aye.

Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 0. The motion carried 6 - 0.

Study/Work Session

4. Assignment and Authorization of Acquisition of Real Property

RECOMMENDATION: Information only.

- Attachment #1: 11.17.01 Presentation Assignment and Authorization of Acquisition of Real Property
- Attachment #2: 11.17.01 Presentation Assignment and Authorization of Acquisition of Real Property_111721

The Board of Education is authorized by law to acquire, on such terms as it sees fit and necessary, real property to be used for School District purposes. The Regents of the University of Colorado Denver ("CU") own real property located in Douglas County and have entered into a Purchase and Sale Agreement ("PSA") with David and Gail Liniger pursuant to which CU has agreed to sell the property to the Linigers. In accordance with the terms of the PSA, the Linigers desire to assign the PSA to the District. The School District's staff has engaged in a diligent review of the property and have determined that the property can be beneficially used for School District purposes.

Director Holtzmann entered the meeting.

Superintendent Wise, Executive Director of Schools Winsor, Chief Operations Officer Cosgrove, and Chief Financial Officer Kotaska presented information regarding CU South. General Counsel Klimesh provided information.

Board comments.

Staff answered questions.

Public Comment

5. Public Comment

RECOMMENDATION: Community input that could help the District meet the challenge of becoming the best school system possible is always welcome.

Public comment at the Special Meeting of the Board to be held on November 17, 2021 will be limited to comment relating to Agenda Item #8 regarding the Staff's recommendation that the Board approve the assignment of a Purchase and Sale Agreement and authorize the acquisition of real property located in Douglas County and approve a resolution related to same.

- Attachment #1: Public Comment Roster
- Michael Peterson, Larkspur resident provided comment regarding Agenda Item #8
- Liz Wagner, Lone Tree resident provided comment regarding Agenda Item #8
- Allyson Kulinski, Parker resident provided comment regarding Agenda Item #8
- Scott Jacobsen, Lone Tree resident; comments read by Mike Peterson regarding Agenda Item #8
- Bradford L. Geiger, Highlands Ranch resident provided comment regarding Agenda Item #8
- Bobbi Hillard, Lone Tree resident provided comment regarding Agenda Item #8
- Suz Karel, Parker resident provided comment regarding Agenda Item #8
- Crista Mann, Parker resident provided comment regarding Agenda Item #8

President Ray provided time for Superintendent Wise and General Counsel Klimesh to respond to Public Comments.

Board comments.

Adoption of Joint Motion Agenda

6. Approval of Board of Education Unofficial Minutes

RECOMMENDATION: That the Board of Education approves the minutes as presented.

- Attachment #1: 10.26.2021 BoE Meeting Minutes_U
- Attachment #2: 11.09.2022 BoE Meeting Minutes_U

ORIGINAL - Motion

Motion by Member Graziano, seconded by Member Holtzmann to approve the ORIGINAL motion that the Board of Education approves the minutes as presented.

Ciancio-Schor, aye; Graziano, aye; Hanson, aye; Holtzmann, aye; Leung, aye; Meek, aye; Ray, aye.

Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion carried 7 - 0.

7. Approval of Change of Date for Meeting of the Board

RECOMMENDATION: That the Board change the date of the November 30, 2021 meeting to November 29, 2021.

The Board of Education had originally set the date of November 30, 2021 for a special meeting of the Board for purposes of newly elected Board Members to take their oath of office and also for the reorganization of the new Board. New Board Members must take their oath of office within 10 days after certification of the election results. The District's Election Official has been notified that the election results will be certified on November 19, 2021. Therefore, the date for the meeting set for new Board Members to be administered the oath of office must be changed so that it is held within 10 days after the date of certification.

Director Leung discussed adding items to the November 29, 2021 meeting.

Director Meek offered comments.

ORIGINAL - Motion

Member Meek moved, Member Graziano seconded to approve the ORIGINAL motion that the Board change the date of the November 30, 2021 meeting to November 29, 2021.

Ciancio-Schor, aye; Graziano, aye; Hanson, aye; Holtzmann, aye; Leung, aye; Meek, aye; Ray, aye.

Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion carried 7 - 0.

Study/Action Items

8. Approval of Assignment and Authorization of Acquisition of Real Property and Resolution Related to Same

RECOMMENDATION: That the Board approve the Assignment and Assumption of the Purchase and Sale Agreement and accordingly approve the Resolution approving the assignment and authorizing acquisition of real property.

- Attachment #1: Resolution
- Attachment #2: Assignment and Assumption of the Purchase and Sale Agreement

The Board of Education is authorized by law to acquire, on such terms as it sees fit and necessary, real property to be used for School District purposes. The Regents of the University of Colorado Denver ("CU") own real property located in Douglas County and have entered into a Purchase and Sale Agreement ("PSA") with David and Gail Liniger pursuant to which CU has agreed to sell the property to the Linigers. In accordance with the terms of the PSA, the Linigers desire to assign the PSA to the District. The School District's staff has engaged in a diligent review of the property and have determined that the property can be beneficially used for School District purposes.

ORIGINAL - Motion

Member Hanson moved, Member Graziano seconded to approve the ORIGINAL motion that the Board approve the Assignment and Assumption of the Purchase and Sale Agreement and accordingly approve the Resolution approving the assignment and authorizing acquisition of real property.

SECONDARY - Motion

Member Leung moved, Member Meek seconded to postpone Agenda Item #8 to the November 29, 2021 Meeting.

Board discussion.

Ciancio-Schor, nay; Graziano, nay; Hanson, nay; Holtzmann, nay; Leung, aye; Meek, aye; Ray, nay.

Upon a roll call vote being taken, the vote was: Aye: 5 Nay: 2. The motion failed 5 - 2.

ORIGINAL - Motion

Member Hanson moved, Member Graziano seconded to approve the ORIGINAL motion that the Board approve the Assignment and Assumption of the Purchase and Sale Agreement and accordingly approve the Resolution approving the assignment and authorizing acquisition of real property.

Board discussion.

Ciancio-Schor, aye; Graziano, aye; Hanson, aye; Holtzmann, aye; Leung, nay; Meek, aye; Ray, aye.

Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 1. The motion carried 6 - 1.

Board of Education Reports

9. President and Vice President Items

RECOMMENDATION: Information only.

No items.

10. Board Directors: Announcements and Comments

RECOMMENDATION: Information only.

No comments.

Convene in Executive Session

11. Convene in Executive Session (a closed session)

RECOMMENDATION: That the Board of Education adjourn the Special Board Meeting and convene in Executive Session (a closed session) for purposes of holding conference with the District's attorneys to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4) (b), including conferences to receive legal advice related to legal questions regarding pending litigation, including DCSD et al v. Douglas County Health Department.

The Board may hold an executive session for considering limited matters, including: Real Estate matters e.g. the purchase, acquisition, lease, transfer or sale of real, personal or other property pursuant to C.R.S. § 24-6-402(4) (a); to hold conference with the Board's attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4) (b); matters required to be kept confidential by federal or state law or rules and regulations pursuant to C.R.S. § 24-6-402(4) (c); to be advised on specialized details of security arrangements and investigations pursuant to C.R.S. § 24-6-402(4) (d); to determine positions relative to matters that are or will be subject to contract negotiations, developing strategy for those negotiations, and instructing negotiators, pursuant to C.R.S. § 24-6-402(4) (e); personnel matters, including actions, updates, and Superintendent recommendations involving individual employees, pursuant to C.R.S. § 24-6-402(4) (f); to consider documents protected by non-disclosure provisions of Colorado Open Records Act pursuant to C.R.S. § 24-6-402(4) (g); and/or to be advised on individual student matters, where public disclosure would adversely affect the person or persons involved, pursuant to C.R.S. § 24-6-402(4) (h).

ORIGINAL - Motion

Member Holtzmann moved, Member Leung seconded to approve the ORIGINAL - motion that the Board of Education adjourn the Regular Board Meeting and convene in Executive Session (a closed session) for purposes of holding conference with the District's attorneys to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4) (b), including conferences to receive legal advice related to legal questions regarding pending litigation, including DCSD et al v. Douglas County Health Department.

Ciancio-Schor, aye; Graziano, aye; Hanson, aye; Holtzmann, aye; Leung, aye; Meek, aye; Ray, aye.

Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion carried 7 - 0.

12. Adjournment

RECOMMENDATION: That the Board of Education adjourns the meeting.

Board of Education Minutes

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President Ray adjourned the Regular Board Meeting of the Board of Education at 2:02 p.m. and the Board entered into Executive Session.

EXECUTIVE SESSION ATTENDANCE: Hanson, Holtzmann, Leung, Meek (remote), Ray, Superintendent Wise, General Counsel Klimesh, Caplan & Earnest legal counsel Elliott Hood and Jack Peters (remote)

EXCUSED ABSENCE: Graziano

Executive Session Time: 2:17 p.m. - 2:48 p.m.

Executive Session concluded at 2:48 p.m.

These minutes summarize the final decisions made by the Board of Education at the referenced meeting. View the meeting via You Tube by accessing the following link: <https://www.youtube.com/watch?v=vmpJ2nMCVeE&list=PLyjVvMhp58liz3QmZQeX7QUKKhYfNu4Rb&index=5&t=8s>

Supporting document(s) attached to the agenda <https://douglas.ic-board.com>

Mike Peterson
Board of Education President

ATTEST

Becky Myers
Board of Education Secretary